

DETAILED ACTION

Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as **a section heading**. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Current the specification does include HEADINGS (g)-(i) appropriately. Applicant should insert the Heading before the section accordingly.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Claims 1 and 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Shunpei JP 2003-240852.

Referring to claim 1, Shunpei discloses in figure 1, a light wave radar apparatus comprising: a light emitting means (1) for emitting a light signal; an optical guide means (3) for propagating the light signal emitted out of said light emitting means; a light transmit-receive means (4) for emitting the light signal propagated by said optical guide means toward a space, and for collecting scattered light resulting from a scattering of the light signal by the space; a wind velocity calculating means for combining a part of the light signal emitted out of said light emitting means and the scattered light collected by said light transmit-receive means to generate combined light, and for calculating a wind velocity in a sight line direction from the combined light; and a frequency deviation detecting means for detecting a frequency deviation of the light signal emitted out of said light emitting means ("Doppler" see Abstract).

Referring to claim 3, the frequency deviation detecting means detects the frequency deviation from the light signal propagated by the optical guide means (see figure 1).

Referring to claim 4, the frequency deviation detecting means combines a part of the light signal emitted out of the light emitting means and a part of the light signal propagated by the optical guide means to generate combined light, and detects the frequency deviation of the light signal from the combined light (see figure 1).

Referring to claim 5, the frequency deviation detecting means combines a part of the light signal emitted out of the light emitting means, and a light signal reflected by an

internal reflection point between the optical guide means and the light transmit-receive means to generate combined light, and detects the frequency deviation of the light signal from the combined light (see Abstract and Fig 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shunpei JP 2003-240852 in view of Osamu JP 63-266382 or Osamu JP 63-71675.

Both Osamu'82 and Osamu '75 teaches a wind velocity correcting means (table means string correction values) for correcting the wind velocity calculated by the wind velocity calculating means according to the frequency deviation detected by the frequency deviation detecting means. it would have been very obvious to include this correction means to maintain accurate measurements.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shunpei JP 2003-240852 in view of Makato JP-4-133533.

Makato teaches detecting an intensity of the light signal propagated by the optical guide means, and detects the deviation of the light signal from a temporal change in the intensity of the light signal. It would have been obvious to monitor the

light intensity to detect variation that effect the system and to compensate for it as part of maintaining accurate measurements.

Allowable Subject Matter

Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isam Alsomiri whose telephone number is 571-272-6970. The examiner can normally be reached on Monday-Friday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on 571-272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Isam Alsomiri/

Primary Examiner, Art Unit 3662